

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – A.P.Civil Services (Ex.Br) Rules, 1992 – Smt T.K.Rama Mani, Special Grade Deputy Collector - Assign her last rank in the batch of Direct Recruits of Deputy Collectors selected and appointed in the year 1996 of Notification 16/1993 with all consequential benefits keeping in view of the orders dated 25.02.2014 of the Hon'ble Tribunal in O.A.No.222/2013 with C.A No.1690/2013 & VMA No.58/2014 – Orders – Issued.

REVENUE (SER.I) DEPARTMENT

G.O.MS.No. 359

Dated:24.10.2014.

Read the following:-

- 1.Representation of Smt.T.K.Rama Mani, Deputy Collector dated: 18.02.2008.
- 2.From the Spl.CS & CCLA, Lr.No.D1/428/2008, dated : 03.11.2008.
- 3.Govt., Memo No.4922/Ser-I(1)/2012 Revenue (Ser-I) Dept., dated 07.09.2012
- 4.From Hon'ble APAT orders dated 25.02.2014 in O.A.No.222/2013 with C.A.No.1690/2013 & V.M.A No.58/2014 filed by Smt T.K.Rama Mani, SGDC)
- 5.From Smt T.K.Rama Mani, Special Grade Deputy Collector, Vigilance Officer, O/o Chief Vigilance Officer, MGNREGS, A.P., Hyderabad dated 10.03.2014 along with judgment dated 25.02.2014 in O.A.No.222/2013)
6. From the Spl.CS & CCLA, Lr.No.D1/1166/2013, dated : 23.04.2014.

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ORDER :

In the representation 1st read above, Smt.T.K.Rama Mani, Deputy Collector has requested to fix her seniority in the category of Deputy Collector along with the batchmates who are selected vide Advertisement No.16/93 and issue necessary orders for consequential benefits.

2. In the letter 2nd read above, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad, has stated that Smt. T.K.Rama Mani, DC was appointed as Probationary Deputy Collector vide G.O.Ms.No. 23, Rev.(Ser.I)Dept., dated 24.01.2002, against the vacancy caused due to the non-joining of Smt.N.Viajay Lakshmi subject to outcome of the SLP Nos. 12038/01 to 12048/01 pending before the Supreme Court. She reported to duty as Deputy Collector on 30.01.2002, whereas the direct recruits against the vacancies notified in Notification No. 16/93 i.e., 1995-96 batch reported to duty in the months of March / April, 1996. Regarding SLPs filed by the APPSC, he has informed that the same were later converted as Civil Appeals Nos. 4214 to 4225 o 2003 and it was reported by the Secretary, APPSC vide letter dated 14.11.2007 that the Hon'ble Supreme Court has dismissed the said CAs as well as the clarificatory petition filed by the APPSC. Subsequently, her services have been regularized w.e.f. 30.01.2002 and her probation was also declared w.e.f. 10.09.2004 by taking into consideration of the actual date of joining of the individual vide G.O.Ms.No. 110, Rev.(Ser.I)Dept., dated 2.2.2008.

3. Further, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has informed that in respect of Sri K.Harshavardhan the Government vide G.O.Rt.No.992, Rev.(Ser.I)Dept., dated 1.5.2008 have decided to assign seniority notionally by placing last rank below the last direct recruit Deputy Collectors of 1990 batch who joined in 1993 in pursuance of the High Court order dated 17.12.2003 in WP No. 25533/2003. Accordingly, Government have ordered that Sri K.Harshavardhan, SGDC be assigned notional date of seniority of Deputy Collectors below the name of Smt.Parvathi Subrahmanyam and above the name of Sri A. Sarath, SGDC in the list of seniority of Deputy Collectors, vide G.O.Rt. No.2161, Rev.(Ser.I)Dept., dated 26.11.2008 duly issued notices to the affected persons and moreover there is no direction from Hon'ble APAT in OAs No.6160 and 6163/2008 which have been filed by the aggrieved Deputy Collectors in the APAT against the notional seniority proposed to be given to Sri K.Harshavardhan.

4. In the Government Memo 3rd read above, Government, rejected the request of Smt T.K.Rama Mani, Special Grade Deputy Collector, to reckon/fix her seniority in the category of Deputy Collector by placing her below the last Direct Recruit Deputy Collectors appointed in the year 1996 vide Notification No.16/93 of APPSC, consequent on her appointment in the year 2002 from the waiting list candidates against the non-joining vacancy is devoid of merits.

[P.T.O]

5. Aggrieved by the said orders, the applicant Smt T.K.Rama Mani, Special Grade Deputy Collector has filed O.A No.222/2013 praying the Tribunal to declare the proceedings Memo No.4922/Ser-I(1)/2012 dated 07.09.2012 issued by the 1st respondent (i.e., Government) as arbitrary, illegal, etc., and issue consequential directions directing the respondents to reckon the seniority of the applicant in the cadre of Deputy Collectors placing her name below the last candidates who was appointed in pursuance of advertisement no.16/1993 in taking into account G.O.Rt.No.992, Rev (Ser-I) Dept., dated 01.05.2008 as well as G.O.Ms.No.395 Rev (Ser-I) dated 06.06.1998, G.O.Ms.No.744 Rev (Ser-I) Dept., dated 21.10.1999, G.O.Rt.No.1985 Rev (CT.1) Dept., dated 17.10.2005 and G.O.Rt.No.1986 Rev (CT.1) Dept., dated 17.10.2005 and consider her case for further promotion including for conferment to Indian Administrative Services and pass orders.

6. In the Judgment 4th read above, the Hon'ble Tribunal in its final orders dated 25.02.2014 in O.A.No.222/2013 with C.A.No.1690/2013 & V.M.A. No.58/2014 held as follows:-

"From the facts and circumstances of the case and taking into consideration the various citations detailed at para 11 above and also in view of the various GOs issued in favour of K.Harshavardhan, Thippanna, B.Ramanjaneyulu and others, it is very clear that the balance of convenience lies in favour of the applicant. Though the benefit of notional seniority is assigned to others, the applicant alone is being denied, for no fault of hers. Therefore, the applicant is entitled for notional seniority in the cadre of Deputy Collector from 1996. However, the plea of the applicant's counsel as stated at para 9 above, to place the applicant above the other two candidates in the seniority list of Deputy Collectors cannot be considered in view of the various judgments as stated at para 13, as she is a wait listed candidate. She in her prayer in the O.A has also requested her placement as last candidate in 1993 batch. The interim order of the Tribunal dated 04.01.2013 is also to place her below the last candidate appointed in pursuance of Notification No.16/1993. Therefore, the applicant shall be placed last in the list of selected candidates appointed in the year 1996 of 1993 Notification. The respondents are directed to pass appropriate orders in this regard with all consequential benefits within a period of eight weeks from the date of receipt of a copy of this order.

The O.A is accordingly allowed. V.M.A is dismissed. C.A is closed. No Costs."

7. In the representation 5th read above, Smt T,K.Ram Mani, Special Grade Deputy Collector, while enclosing the above orders has requested to fix seniority and also extend the consequential benefits on par with the other batch-mates as per the order of APAT in O.A.No.222/2013 dated 25.02.2014 immediately. The Spl.CS&CCLA, A.P., Hyderabad, has furnishing the above orders for taking necessary action in the matter vide reference 6th read above.

8. After careful examination of the matter, the Government have decided to implement the orders dated 25.02.2014 of Hon'ble Andhra Pradesh Administrative Tribunal. Accordingly, the Government consider the request of Smt T.K.Rama Mani, Special Grade Deputy Collector with reference to the observations of the Hon'ble Tribunal in its orders dated 25.02.2014 and hereby place here name at the end of list of Direct Recruits of Deputy Collectors selected and appointed in the year 1996 of 1993 Notification.

9. The Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad shall take further action accordingly.

**J.C.SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Special Chief Secretary & Chief Commissioner of Land Administration, A.P., at Hyderabad
Smt T.K.Rama Mani, Special Grade Deputy Collector, Vigilance Officer, O/o Chief Vigilance Officer,
MGNREGS, A.P., Hyderabad

Copy to:

The G.P for Revenue (Ser), Hon'ble APAT, Hyderabad.
The Finance (F.R.I) Dept.,
The Law Dept.,
The Rev (Vig.I) Dept.,
The file/SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER